

REMARKS

The Office examined claims 1-16, and all claims are rejected. With this response claims 1-16 are amended, and new claim 17 is added. All amendments and new claims are fully supported by the specification as originally filed. Support for the amendments can be found at least from page 8, lines 1-7 and page 16, lines 1-16. Support for new claim 17 can be found at least from Figure 3.

Applicant respectfully requests reconsideration and withdrawal of the objections and rejections in view of the following discussion.

Claim Objections

Regarding the objections to the claims on page 2 of the Office Action, applicant respectfully submits that the claims are amended in a manner believed to correct the identified informalities. As such, applicant respectfully requests withdrawal of the objections.

Claim Rejections Under § 102

In section 2, on page 3 of the Office Action, claims 1-4, 8, 10, 12 and 13 are rejected under 35 U.S.C. § 102(b) as anticipated by Naruse et al. (U.S. Patent No. 6,2623,010). Applicant respectfully submits that claim 1 is not disclosed or suggested by Naruse, because Naruse fails to disclose or suggest all of the limitations recited in claim 1. Claim 1 is amended to particularly point out and distinctly claim that synchronization is continued after a measurement related interrupt with a newly received code sample and with available code samples. Naruse at least fails to disclose or suggest continuing synchronization after a measurement related interrupt.

Naruse discloses a spread spectrum communication apparatus for transmitting or receiving digital signals to or from a base station in a spread spectrum form by using a spreading code having a periodicity and having a different offset value for each radio area. See Naruse column 2, lines 21-26. The communication apparatus has phase holding means for holding recognized timing information during a power off interval, and controlling a phase of generation start of the spreading code conducted by spreading code generation means on the basis of the held information when power is turned on

again. See Naruse column 2, lines 37-41. Therefore, when power is turned off the phase information of the spreading code obtained before power is turned off is held during the power off interval. The Office asserts that the power off interval corresponds to the interrupt recited in the present claims of the application. Applicant respectfully submits that the power off interval discussed in Naruse is distinct from the measurement related interrupt recited in claim 1. The power off interval has nothing to do with measurements, and therefore the asserted interrupt in Naruse is not measurement related. Instead, the asserted interrupt in Naruse is only due to turning off the power supply to the apparatus, and therefore is not measurement related as recited in claim 1. See Naruse column 6, lines 45-50. Therefore, for at least this reason claim 1 is not disclosed or suggested by Naruse, because Naruse fails to disclose or suggest all of the limitations recited in claim 1.

Independent claims 8 and 10 contain limitations similar to those recited in claim 1, are rejected for similar reasons as claim 1, and are amended in a manner similar to claim 1. Therefore, for at least the reasons discussed above in relation to claim 1, claims 8 and 10 are not disclosed or suggested by Naruse.

The claims rejected above and depending from the above mentioned independent claims are not disclosed or suggested by Naruse at least in view of their dependencies.

Claim Rejections Under § 103

In section 3, on page 10 of the Office Action, claims 5-6, 9, 11 and 14-15 are rejected under 35 U.S.C. § 103(a) as unpatentable over Naruse in view of applicant's own admitted prior art (AOAPA). Claims 5-6, 9, 11 and 14-15 ultimately depend from an independent claim, and therefore are not disclosed or suggested by the cited references at least in view of their dependencies.

In section 4, on page 12 of the Office Action, claim 7 is rejected under 35 U.S.C. § 103(a) as unpatentable over Naruse in view of AOAPA, and in further view of Jeong et al. (U.S. Appl. Publ. No. 2001/0014086). Claim 7 ultimately depends from an independent claim, and therefore is not disclosed or suggested by the cited references at least in view of its dependency.

In section 5, on page 13 of the Office Action, claim 16 is rejected under 35 U.S.C. § 103(a) as unpatentable over Naruse in view of Jeong. Claim 16 ultimately depends from an independent claim, and therefore is not disclosed or suggested by the cited references at least in view of its dependency.

New Claim 17

New claim 17 contains limitations similar to those recited in independent claim 8, and for at least the reasons discussed above in relation to claim 8, new claim 17 is believed to be novel and nonobvious over the cited references.

Conclusion

For at least the foregoing reasons, applicant respectfully submits that the present application is in condition for allowance and such action is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

Date: 25 June 2007



WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955

Keith R. Obert
Attorney for Applicant
Registration No. 58,051